

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 26 1993  
 Returned to applicant for correction SEP 9 1993  
 Corrected application filed OCT 19 1993 Map filed OCT 19 1993 under 59058

The applicant Newmont Gold Company by Charles Zimmerman, agent  
P. O. Box 669 of Carlin  
Street and No. or P.O. Box No. City or Town  
Nevada 89822 hereby make s application for permission to change the  
State and Zip Code No.  
manner of use and place of use of a portion  
Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under permit 12487 (certificate 4872); Rose Canal Gravel Pit  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
 identify right in Decree.

1. The source of water is underground (gravel pit), as described under certificate 4872  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.5 cfs (224.42 gpm); 77.13 Acre-ft/yr (25.13 MgA)  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for dust suppression  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Within the SE quarter of the SE quarter of  
Describe as being within a 40-acre subdivision of public survey and by course and  
section 25 of T33N, R48E, M.D.B.&M., at a point from which the SE corner of said  
distance to a section corner. If on unsurveyed land, it should be stated.  
section 25 bears S 09° 35' E a distance of 1,088.77 feet.
6. The existing permitted point of diversion is located within same as proposed (5.)  
If point of diversion is not changed, do not answer.
7. Proposed place of use that portion of the Dunphy Rd. which lies within: E½ E½ of sec.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
12, E½ E½ of sec. 13, E½ E½ of sec. 24, and E½ E½ of sec. 25, T33N, R48E, M.D.B.&M.; and lots 1,2,3, &  
4, sec. 7, lots 1,2,3, & 4, sec. 18, lots 1,2,3, & 4, sec. 19, and lots 1,2,3,  
& 4, sec. 30, T33N, R49E, M.D.B.&M.
8. Existing place of use as described by attachment under certificate 4872 (see attachment  
to this application) Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
Irrigated acres to be stripped of water rights are: 9.50 acres in the NE¼ SE¼,  
manner of use of irrigation permit, describe acreage to be removed from irrigation. 6.20 acres in the NW¼ SE¼, and 10.01 acres  
in the SW¼ NE¼, section 25, T33N, R48E, M.D.B.&M. TOTAL ACRES: 25.71
9. Use will be from January 01 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from March 15 to September 15 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
 specifications of your diversion or storage works.) Existing storage pond under permit 12487,  
State manner in which water is to be diverted, i.e. diversion structure.  
equipped with a pump, motor, totalizing flow meter, and a pipeline to a standpipe.  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works not applicable - works completed under permit 12487.
13. Estimated time required to construct works works completed as described above (11.)

14. Estimated time required to complete the application of water to beneficial use five years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is hereby submitted for a permanent permit to allow use of water for maintenance and dust suppression on the Dunphy Road, a frequently used mine access road. Any temporary permit in force for the same point of diversion and manner of use at the time a permanent permit is issued under this application will be withdrawn upon receipt of said permit.

By s/Charles Zimmerman  
P. O. Box 669  
Carlin, Nevada 89822

Compared bc/bc jr/bk

Protested \_\_\_\_\_

**APPROVAL**  
 \_\_\_\_\_ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:  
This permit to change the manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 12487, Certificate 4872 is issued subject to the terms and conditions imposed in said Permit 12487, Certificate 4872 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.  
 (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 77.13 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 28, 1996

Proof of completion of work shall be filed before May 28, 1996

Application of water to beneficial use shall be made on or before April 28, 1998

Proof of the application of water to beneficial use shall be filed on or before May 28, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUN 21 1996

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 28th day of April,

A.D. 19 95

R. Michael Turnipseed, P.E.  
 State Engineer

**WITHDRAWN BY APPLICANT** JUN 20 2000  
R. Michael Turnipseed, P.E. STATE ENGINEER

ATTACHMENT TO APPLICATIONS TO CHANGE EXISTING WATER RIGHTS  
UNDER PERMIT 12487 (CERTIFICATE 4872)

Description of land to which water is appurtenant (8. existing place of use):

0.10	acres in the	NW	1/4 of the	SW	1/4 of section	13	, T33N, R48E, M.D.B.&M.
19.70	acres in the	SW	1/4 of the	SW	1/4 of section	13	, T33N, R48E, M.D.B.&M.
5.50	acres in the	SE	1/4 of the	SW	1/4 of section	13	, T33N, R48E, M.D.B.&M.
13.50	acres in the	NW	1/4 of the	NE	1/4 of section	24	, T33N, R48E, M.D.B.&M.
21.00	acres in the	NE	1/4 of the	NW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
30.00	acres in the	NW	1/4 of the	NW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
37.20	acres in the	SW	1/4 of the	NW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
34.60	acres in the	SE	1/4 of the	NW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
28.67	acres in the	SW	1/4 of the	NE	1/4 of section	24	, T33N, R48E, M.D.B.&M.
8.25	acres in the	NW	1/4 of the	SE	1/4 of section	24	, T33N, R48E, M.D.B.&M.
34.60	acres in the	NE	1/4 of the	SW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
22.10	acres in the	NW	1/4 of the	SW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
4.03	acres in the	SW	1/4 of the	SW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
8.00	acres in the	SE	1/4 of the	SW	1/4 of section	24	, T33N, R48E, M.D.B.&M.
10.54	acres in the	NE	1/4 of the	NW	1/4 of section	25	, T33N, R48E, M.D.B.&M.
8.50	acres in the	SE	1/4 of the	NW	1/4 of section	25	, T33N, R48E, M.D.B.&M.
11.00	acres in the	SW	1/4 of the	NE	1/4 of section	25	, T33N, R48E, M.D.B.&M.
9.50	acres in the	NE	1/4 of the	SE	1/4 of section	25	, T33N, R48E, M.D.B.&M.
6.20	acres in the	NW	1/4 of the	SE	1/4 of section	25	, T33N, R48E, M.D.B.&M.

312.99 acres total. Total duty  $\leq$  3.0 acre-feet per acre x 312.99 acres = 938.97 acre-feet.

x. Charles Zimmerman  
Signature, agent

Date signed: 7/19/93

(PERMIT TERMS CONTINUED)

With the issuance of this permit, the permittee shall remove the following land from irrigation; 10.01 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9.5 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; and 6.2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  all in Section 25, T.33N., R.48E., M.D.B.&M., a total of 25.71 acres.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.